UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

LARRY D. ANDERSON,)
Plaintiff,)
VS.) Case No. 2:05CV53 ERW
JO ANNE B. BARNHART, Commissioner of Social Security,)))
Defendant.))

ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge Mary Ann L. Medler pursuant to 28 U.S.C. § 636(b). The Court notes that no objections to the Report and Recommendation have been filed within the time afforded by 28 U.S.C. § 636(b)(1).

Pursuant to 42 U.S.C. § 405(g), a party may seek review of any final decision of the Commissioner of Social Security. As detailed in the Report and Recommendation, it was proper for the Administrative Law Judge to discount Plaintiff's subjective complaints of his limitation as not credible, and the ALJ properly assessed that Plaintiff's ability to perform unskilled work which involves no more than minimal contact with the public and further that Plaintiff had no exertional limitations. Therefore, after consideration of the issues, the Court hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation with the following exceptions:

1. On page three (3) of the Report and Recommendation, change "...appetite and insomnia. (Tr. 49)." to "...appetite and insomnia. (Tr. 48).";

2. On page three (3) of the Report and Recommendation, change "...lost. Stress." (Tr. 50)" to "...lost. Stress." (Tr. 53).";

3. On page twelve (12) of the Report and Recommendation, change "Goff v.Barnhart, 421 F.3d 788, 790 (8th Cir. 2005)" to ""Goff v.Barnhart, 421 F.3d 785, 790 (8th Cir. 2005)."

Accordingly,

IT IS HEREBY ORDERED that the decision of the Commissioner denying Plaintiff Larry

D. Anderson's application for Disability Insurance Benefits pursuant to Title II of the Social Security

Act is AFFIRMED.

Dated this 15th day of June, 2006.

E. RICHARD WEBBER

UNITED STATES DISTRICT JUDGE

E. Dehard Hehlen